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UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

DEBORAH ROGERS THIBODEAUX

* CIVIL NO. 08-1028

VERSUS

* JUDGE MELANCON

PRUDENTIAL INSURANCE COMPANY
OF AMERICA

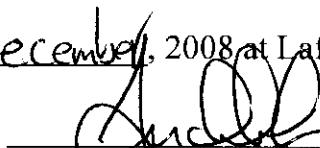
* MAGISTRATE JUDGE HILL

JUDGMENT

This matter was referred to United States Magistrate Judge C. Michael Hill for Report and Recommendation. No objections have been filed. The Court concludes that the Report and Recommendation of the magistrate judge is correct and therefore adopts the conclusions set forth therein. Accordingly;

IT IS ORDERED that the Motion to Dismiss filed by defendant, Prudential, pursuant to Rule 12(b)(1) for lack of subject matter jurisdiction [rec. doc. 6] is **DENIED**.

Thus done and signed this 27th day of December, 2008 at Lafayette, Louisiana.


TUCKER L. MELANCON
UNITED STATES DISTRICT JUDGE